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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAUDE MILLARD (a/k/a Geraldine Ray,
a/k/a Geraldine McGowen),

Defendant.

Case No. **CR-08-429 WDB**

MOTION FOR SUMMONS

Based on the facts set forth in the Declaration of Joshua M. Fryday in Support of the United States' Motion for Summons, the United States hereby requests that the Court issue a summons for defendant MAUDE MILLARD (a/k/a Geraldine Ray, a/k/a Geraldine McGowen), to appear on July 22, 2008. The facts set forth in the declaration demonstrate that probable

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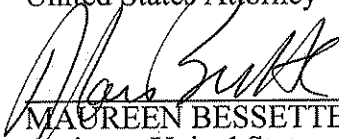
MOTION FOR SUMMONS

1 cause exists to summon the defendant to answer the Information that has been filed by the United
2 States Attorney.

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4 Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 Dated: 6/24/08

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9 MAUREEN BESSETTE
10 Assistant United States Attorney
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UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,

Plaintiff,

v.

MAUDE MILLARD (a/k/a Geraldine Ray,
a/k/a Geraldine McGowen)

Defendant.

Case No. CR-08-429WDB

**DECLARATION OF JOSHUA M.
FRYDAY IN SUPPORT OF UNITED
STATES' MOTION FOR SUMMONS**

I, Joshua M. Fryday, hereby declare as follows:

1. I am the Law Clerk assigned to this case. I have received the following information from agents employed by the Social Security Administration, Office of the Inspector General, Office of Investigations (SSA-OIG), and from reports and other documents provided to me by the SSA-OIG.

2. Between approximately 1975 to the present, within the Northern District of California, Maude Millard (a/k/a Geraldine Ray a/k/a Geraldine McGowen), ("MILLARD"), did knowingly use multiple identities to obtain benefits from SSA/SSI, and from the State of California.

1 3. On May 16, 2007, SSA-OIG received an allegation from Department of Motor Vehicles
2 (DMV) and Department of Insurance (DOI), reporting that MILLARD had multiple social
3 security numbers (SSN's) and multiple driver licenses, and that she might be fraudulently using
4 these multiple identities to obtain benefits from SSA/SSI and the State of California DMV and
5 DOI.

6 4. Special Agent (SA) Gary DaSilva obtained all SSN's associated with Ray, McGowen,
7 and MILLARD through SSA records and determined that MILLARD was using two SSN's for
8 work while she was collecting SSI benefits under her true SSN.

9 5. Subsequent to obtaining her true SSN in 1954, MILLARD applied for and was issued a
10 second SSN under the name Geraldine McGowen in 1976 and a third SSN under her own name
11 in 1982 using false information as to her identity on the two latter SSN applications.
12 Specifically, MILLARD obtained these two fraudulent SSN's by using false places of birth, false
13 parent names, and false date of births. From 1976 to 2006, MILLARD was employed using the
14 second fraudulent SSN. Although MILLARD never collected SSA/SSI benefits using the third
15 fraudulent SSN, she did work under this SSN from 1985 to 1991.

16 6. Since 1975, MILLARD has collected SSI under her true SSN, at the same time she
17 continued to work under her two fraudulently obtained SSN's. In June, 2004, MILLARD applied
18 and became eligible to receive aged spousal benefits from her husband's SSN using her true
19 SSN. At the time she applied for her aged spousal benefits application using her true SSN, she
20 failed to report that she had previously worked under two false SSN's.

21 7. Upon filing for Title II Retirement benefits in April 2006 using the second fraudulent SSN,
22 MILLARD failed to report to SSA that she had previously been issued her true SSN and had
23 been collecting SSI benefits and aged spousal benefits using her true SSN. Further, MILLARD
24 failed to report to SSA that she had previously been issued her true SSN and had been collecting
25 SSI benefits and aged spousal benefits using her true SSN.

26 8. On September 14, 2007, SA DaSilva interviewed MILLARD at the DMV Office in El
27 Cerrito, California. MILLARD was read her rights and she waived her rights in writing.
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1 MILLARD stated that her true name according to her Texas birth certificate is Maude Millard,
2 and admitted that she is currently receiving SSA/SSI benefits under her true SSN, and SSA/SSI
3 benefits under the second fraudulent SSN. MILLARD stated that she knew what she did was
4 wrong, and is sorry for the problems she created. MILLARD also stated that if there is any
5 monies owed to SSA/SSI, she is willing to repay the money back to SSA/SSI in full.

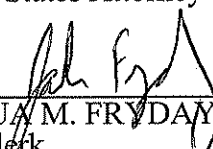
6 I declare under penalty of perjury that the foregoing is true and correct to the best of my
7 knowledge and belief.

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9 Executed June 24, 2008 at Oakland, California.

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11 DATED: 6-27-08

Respectfully submitted,

12 JOSEPH P. RUSSONIELLO
13 United States Attorney

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15 JOSHUA M. FRYDAY
16 Law Clerk
17 United States Attorney's Office
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1 JOSEPH P. RUSSONIELLO (CASBN 44332)
2 United States Attorney
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6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA
8 OAKLAND DIVISION

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 MAUDE MILLARD (a/k/a Geraldine Ray,
13 a/k/a Geraldine McGowen),

14 Defendant.
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Case No. CR-08-429 WDB

[PROPOSED] ORDER FOR SUMMONS

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17 Having reviewed the Declaration of Joshua M. Fryday, the Court finds that probable cause
18 exists to believe that an offense has been committed. Accordingly, pursuant to Fed. R. Crim. P.
19 58(d)(3), the Clerk of the Court is directed to issue a Summons directing the defendant, Maude
20 Millard (a/k/a Geraldine Ray, a/k/a Geraldine McGowen), to appear on July 22, 2008 at 10:00 am
21 before Magistrate Judge Wayne D. Brazil to answer the Information that has been filed by the
22 United States Attorney.

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24 IT IS SO ORDERED.

25 Dated: _____

26 MARIA-ELENA JAMES
27 United States Magistrate Judge
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